

**IN THE UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF TENNESSEE, AT GREENVILLE**

Travis K. Byram and	)	
Mckenzie M. Byram	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No.: 2:22-cv-28
	)	
Abdullahi A. Hukun and	)	
GS Travel & Logistics, LLC,	)	JURY DEMAND
GSA Transport Services, LLC, d/b/a	)	
GS Logistics, and World Carrier, Inc.	)	
	)	
Defendants.	)	

**COMPLAINT**

Come the Plaintiffs, by and through counsel, and for cause of action against the Defendants would show as follows:

**PARTIES**

1. Plaintiffs Travis K. Byram and Mckenzie M. Byram bring this lawsuit to recover damages on account of injuries suffered by Mckenzie Byram, arising from her being struck by a tractor trailer being driven by Defendant Abdullahi A. Hukun and while in the employment of GS Travel & Logistics, LLC and/or, GSA Transport Services, LLC, d/b/a GS Logistics, and/or World Carrier, Inc.

2. Plaintiffs allege herein that negligent and tortious actions and omissions by the Defendants, their agents, employees and representatives proximately caused the injuries that are the subject of this lawsuit.

3. Plaintiffs are citizens and residents of Sevier County, Tennessee.

4. Defendant Abdullahi A. Hukun is a citizen and resident of Louisville, Kentucky. He may be served with process at 2805 Del Mel Avenue, #2, Louisville, Kentucky 40214.

5. At all times relevant hereto, Defendant Hukun owned and operated the tractor-trailer involved in the wreck.

6. Defendant GS Travel & Logistics, LLC, is registered as a fictitious name with the State of Ohio for GSA Transport Services LLC. Further the Ohio Secretary of State Office reflects that GS Travel & Logistics LLC is a prior business name of GSA Transport Services, LLC.

7. Defendant GSA Transport Services, LLC, is an Ohio Limited Liability Company with its principal place of business at 2700 E. Dublin Granville Road, #270, Columbus, Ohio 43231. GSA Transportation Services, LLC, may be served with process through its registered agent, Mustafe Ali, 3923 Wintergreen Boulevard, Columbus, Ohio 43230.

8. Defendant GSA Transport Services, LLC, d/b/a GS Logistics, is an authorized for hire carrier for general freight with a USDOT Number of 2487529.

9. At all times relevant hereto, GSA Travel & Logistics, LLC, and/or GSA Transport Services, LLC (hereinafter GS Logistics Defendants) had hired, employed, or otherwise engaged Defendant Hukun and/or Defendant World Carrier for interstate transportation of freight and are, therefore, reliable for Defendant Hukun's negligence pursuant to the doctrine of respondeat superior and vicarious liability.

10. Defendant World Carrier, Inc., is an Ohio Limited Liability Company with its principal place of business at 3280 Morse Road, Columbus, Ohio 43231. Defendant World Carrier, Inc., may be served with process through its registered agent, Gofadhe Farah, 2830 Pinella Ct. #C, Columbus, Ohio 43230.

11. Defendant World Carrier, Inc., is an authorized for hire carrier for general freight with a USDOT Number of 2908128.

12. At all times relevant hereto, Defendant World Carrier had hired, employed, or otherwise engaged Defendant Hukun and/or GS Logistics Defendants for interstate transportation of freight and are, therefore, reliable for Defendant Hukun's negligence pursuant to the doctrine of respondeat superior and vicarious liability.

13. At all times relevant hereto, all Defendants had a responsibility to other motorists to safely operate their tractor trailers and prevent harm to other motorists, including Plaintiffs.

#### JURISDICTION AND VENUE

14. Based on the foregoing, this Court has jurisdiction based on diversity of citizenship pursuant to 28 U.S.C. § 1332.

15. The amount in controversy in this cause of action exceeds \$75,000.00.

16. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b)(2).

17. All Defendants are subject to the jurisdiction of this Court.

#### FACTS

18. On March 11, 2021, Plaintiffs were travelling in their vehicle in the west bound lane of Highway 11E in Greene County, Tennessee, when they stopped because a tractor trailer being operated by Defendant Hukun had halted in the roadway in order to attempt a left turn into a truck stop.

19. On March 11, 2021, Defendant Hukun backed the tractor trailer into the oncoming traffic in attempt to make said turn.

20. On March 11, 2021, the Plaintiffs, who were stopped behind the trailer, attempted to notify Defendant Hukun that he was backing into them by sounding their vehicle's horn.

21. On March 11, 2021, Defendant Hukun failed to utilize a center turn lane that was available to him and instead backed into traffic behind him.

22. On March 11, 2021, the tractor trailer operated by Defendant Hukun on behalf of the GS Logistics Defendants and/or Defendant World Carrier struck the Plaintiffs' vehicle.

23. As a result of the wreck, the impact caused injury to McKenzie Byram, who was 34 weeks pregnant at the time.

24. As a result of the impact, property damage was caused to the Plaintiffs' vehicle.

#### COUNT I - NEGLIGENCE

25. Defendants and/or their agents/employees negligently:

- a. Failed to operate the tractor trailer in a safe manner;
- b. Failed to operate appropriately utilize the turning lane;
- c. Failed to recognize that the path of travel was clear before backing into the oncoming lane of traffic;
- d. Failed to appropriately train drivers in the operation of the tractor trailer;
- e. Failed to have a properly equipped tractor trailer to adequately warn operators of hazards in the rear of the vehicle; and
- f. Failed to otherwise exercise due care with respect to the matters alleged in this complaint.

26. As a direct and proximate result of the Defendants' negligence, Plaintiff McKenzie Byram suffered significant and serious personal injuries.

#### COUNT II – NEGLIGENCE PER SE

27. Defendants and/or their agents/employees are liable under the doctrine of negligence per se for the following violations of law:

- a. Tenn. Code Ann. § 55-8-136 (drivers to use due care);
- b. Tenn. Code Ann. § 55-8-140,-142 (operation of vehicles-turning movements)

c. Tenn. Code Ann. § 55-8-163 (limitation on backing)

28. As a direct and proximate result of the Defendants' negligence per se, Plaintiff Mckenzie Byram suffered significant and serious personal injuries.

#### DAMAGES

29. As a result of Plaintiff Mckenzie Byram's injuries, she has sought medical treatment and care and has incurred substantial medical expenses and other expenses related to her injuries as a result. Specifically, the event resulted in complications in her pregnancy including prolonged hospitalization. Plaintiff Mckenzie Byram suffered mental anguish as a result of concern over an unsafe, premature delivery of her child. Plaintiff Mckenzie Byram has suffered lost wages and loss of enjoyment of life as a result of the Defendants' negligence. She has also endured, and will continue to suffer in the future, loss of enjoyment of life, pain, and suffering.

30. Plaintiff Travis Byram has suffered a loss of consortium, companionship and services of his wife due to her injuries sustained in this incident as a direct and proximate result of Defendants' negligence.

31. Plaintiffs have suffered a loss of their property due to damage done to their vehicle.

32. The Plaintiffs are entitled to receive damages from the Defendants, jointly and severally, for all damages described herein and all other damages allowed under Tennessee law.

WHEREFORE, Plaintiffs pay for the following relief:

1. A judgment for compensatory damages against Defendants, jointly and severally, for a fair and reasonable sum to be determined by a jury in an amount not to exceed \$225,000.00;

2. An award of all discretionary and court costs;
3. A jury be empanelled to try this cause; and
4. Such other relief as shall be deemed reasonable, just, and necessary.

Respectfully submitted this 10<sup>th</sup> day of March, 2022.

/s Bryan E. Delius  
BRYAN E. DELIUS, BPR #015800  
DELIUS & MCKENZIE, PLLC  
124 Court Avenue, 2<sup>nd</sup> Floor  
Sevierville, Tennessee 37862  
Phone: (865) 428-8780  
Fax: (865) 428-5254  
Email: [bryan@deliusmckenzie.com](mailto:bryan@deliusmckenzie.com)

/s Bryce W. McKenzie  
BRYCE W. MCKENZIE, BPR #027415  
DELIUS & MCKENZIE, PLLC  
124 Court Avenue, 2<sup>nd</sup> Floor  
Sevierville, Tennessee 37862  
Phone: (865) 428-8780  
Fax: (865) 428-5254  
Email: [bryce@deliusmckenzie.com](mailto:bryce@deliusmckenzie.com)  
*Counsel for the Plaintiffs*